

**MINUTES OF THE
LAW ENFORCEMENT AND CRIMINAL JUSTICE INTERIM COMMITTEE**

Wednesday, September 12, 2001 – 2:00 p.m. – Room 416 State Capitol

Members Present:

Sen. D. Chris Buttars, Senate Chair
Rep. DeMar "Bud" Bowman, House Chair
Sen. John W. Hickman
Sen. John L. Valentine
Rep. Douglas C. Aagard
Rep. Trisha S. Beck
Rep. Duane E. Bourdeaux
Rep. Patricia W. Jones
Rep. Rebecca D. Lockhart
Rep. Ty McCartney
Rep. Loraine T. Pace
Rep. Brent D. Parker

Rep. Paul Ray
Rep. Jack A. Seitz
Rep. Matt Throckmorton

Members Absent:

Sen. Gene Davis
Sen. Alicia L. Suazo

Staff Present:

Ms. Chyleen A. Arbon, Research Analyst
Ms. Susan Creager Allred, Associate General Counsel
Ms. Wendy Bangerter, Legislative Secretary

Note: A list of others present and a copy of materials can be found at <http://www.image.le.state.ut.us/imaging/history.asp> or contact the Office of Legislative Research and General Counsel.

1. Committee Business

Chair Buttars called the meeting to order at 2:30 p.m.

MOTION: Rep. Pace moved to approve the minutes of July 18, 2001. The motion passed unanimously.

2. Prohibiting Intimacy with Youth Receiving State Services – Draft Legislation

Sen. Paula Julander introduced draft legislation "Prohibiting Intimacy with Youth Receiving State Services."

Ms. Susan Allred, Associate General Counsel, explained the draft legislation. She clarified the definition of "youth receiving state services" and the two offenses defined in the legislation.

MOTION: Rep. Beck moved to recommend draft legislation "Prohibiting Intimacy with Youth Receiving State Services."

SUBSTITUTE MOTION: Sen. Valentine moved to discuss this issue further at the October meeting. The motion passed unanimously, with Rep. Lockhart, Rep. Seitz, and Rep. Throckmorton absent for the vote.

**3. Status of Housing Prison Inmates in County Jails – Report
Shortfall of Jail Reimbursement – Report**

Mr. Mike Chabries, Executive Director, Department of Corrections, reported on the housing of state inmates through jail contracting and on the jail reimbursement program. He stated that the current rate per inmate for both reimbursement and jail contracting is \$43.07 per day, but will decrease by 75 cents in the coming year. He emphasized that contracting or reimbursement becomes a cost savings to the State by lowering construction expenditures. He stated that the Legislature did not fund jail contracting at the previous year's level, so he used \$2.012 million from the operations budget to cover that deficit. He reported that the department is currently

contracting for 1,095 county jail beds.

Sheriff Mike Lacey, President, Sheriff Association, stated that great effort is being made to give the state more uniform data on costs. He explained the difference between reimbursement and contracting and noted that reimbursement costs often are not fully covered. He explained that some counties bill cities for a portion of the price to offset costs since inmates belong to both.

The committee discussed how the Legislature and the counties have different perceptions of the original agreement for jail reimbursement.

4. Methamphetamine Treatment and Prevention Proposal

Mr. Brent Kelsey, Criminal Justice Programs Coordinator, Division of Substance Abuse, Department of Human Services, and Ms. Mary Lou Emerson, Deputy Director, Division of Substance Abuse, distributed and reviewed "The Need for Treatment Services for Methamphetamine Addicted Women and their Children." Mr. Kelsey presented statistics regarding women booked into Salt Lake County Metro Jail in 2000. He indicated an increase in women, including mothers with dependent children, who are arrested for drug-related offenses. He discussed the need to expand substance-abuse treatment opportunities for those women. He also indicated the need for the treatment plan to include both the mother and her children. He requested that the Legislature support a building block to increase funding for treatment for women with dependent children.

Mr. Michael Findeis, Department of Corrections, noted how treatment integrated into the correctional programs has had good results, but that treatment of methamphetamine addiction takes longer than some other addictions.

5. Transfer of Youth Services Oversight – Draft Legislation

Mr. Blake Chard, Director, Division of Youth Corrections, Department of Human Services, distributed and reviewed the division's comprehensive strategy, including prevention and graduated sanctions to divert at-risk youth from the criminal justice system. He explained that no policy change has been made to the youth services program, but the oversight would change from the Division of Child and Family Services to the Division of Youth Corrections. He reviewed draft legislation "Transfer of Youth Services Oversight." He requested a \$250,000 building block from the Legislature.

Ms. Pat Berckman, Salt Lake County Youth Services, stated that the system is now fragmented, but this legislation will stabilize services and hopefully prevent youth from escalating through the system.

The committee discussed the bill and recommended several changes.

MOTION: Sen. Valentine moved to discuss this bill further at the October meeting, giving time for changes to be made. The motion passed unanimously, with Rep. Beck, Rep. Parker, and Rep. Seitz absent for the vote.

6. Substantiated Child Abuse List Amendments – Draft Legislation

Ms. Robin Arnold-Williams, Executive Director, Department of Human Services, introduced draft legislation "Child Welfare Information System Recodification," which reorganizes and clarifies statutes governing the Division of Child and Family Services Management Information System.

Ms. Janetha Hancock explained the Division of Child and Family Services Management Information System and the process by which a person's name is entered into the data base. She distributed a copy of the letter individuals receive once they have been substantiated and their names have been placed in the information system.

Chair Buttars directed staff to place this bill on the October agenda for further discussion.

7. Other Items / Adjourn

MOTION: Sen. Valentine moved to adjourn the meeting. The motion passed unanimously, with Sen. Hickman, Rep. Beck, Rep. Bourdeaux, Rep. Jones, and Rep. Seitz absent for the vote.

Chair Buttars adjourned the meeting at 5:00 p.m.

